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IN THE UNITED STATES DISTRICT COURT
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               FOR THE WESTERN DISTRICT OF PENNSYLVANIA
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    WALTER BECK CORPORATION d/b/a Civil Action No. 04-348-Erie
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    THE RAINBOW INN,
                                    Judge Maurice B. Cohill, Jr.
         Plaintiff,
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 5
    VS.
                                             ORIGINAL
    SAFECO CORPORATION, AMERICAN
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    ECONOMY INSURANCE COMPANY, and
7
    AMERICAN STATES INSURANCE COMPANY,
         Defendants.
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                                  Harold Beck
         Deposition of:
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         Taken by:
                                 Defendants
13
                                   November 11, 2006
         Date:
14
         Time:
                                   11:00 a.m. - 1:21 p.m.
15
         Location:
                                   Holiday Inn Express,
                                   The Villages
16
                                   1205 Avenida Central
                                   Lady Lake, Florida
17
         Reported by:
                                  Leslie Richmond, RPR
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23
                 ZACCO & ASSOCIATES REPORTING SERVICES
                  605 East Robinson Street, Suite 430
24
                        Orlando, Florida 32801
                             (407) 425-6789
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1 next? 2 A. He paid the -- we got a letter denying the claim. 3 Q. And what was your reaction to that? 4 Α. I tried to get in touch with him. He wouldn't 5 respond. 6 Q. Okay. Did you ever get in touch with him after 7 that? 8 Finally. When I went to Sundahl in June and told Α. 9 them I was going to sue them. 10 0. Sue Sundahl? 11 Yeah. Sue Sundahl. And I'm going to ruin you so A. 12 nobody will ever buy any policy from you here. 13 0. So Sundahl put you back in touch with Smith? 14 Sundahl got Smith in touch with me. A. 15 Q. What happened next? 16 Smith wanted me to give him records of inspections Α. 17 and all that. But he hadn't been dealing in good faith with 18 me by that time and I could just see him just dragging his 19 feet. He was giving me the run around. And that's when I 20 started looking for an attorney. 21 So when was the first time Mr. Smith asked you for 22 records of maintenance of the fire suppression system? 23 A. June. 24 0. And --25 July actually. I think it was July. It wasn't

June.

- Q. Of 2004?
- A. Yeah.
- Q. And did you ever provide any information to Mr. Smith in response to that request?
 - A. No.
 - Q. And your reason for that was?
- A. Any records I had were burned up in the fire to begin with and I wasn't about to go reconstructing something for him when he wasn't dealing in good faith with me. He was ignoring -- I sent him probably four or five different letters. I attempted to call him probably 40 or 50 times and he wouldn't respond to me at all. So at that point I had had enough.
- Q. Understood. Did Mr. Smith ever ask you to simply give him the name of the people who maintained your fire suppression system?
 - A. Never.
- Q. Do you recall any letters that he may have sent that asked you to give him the name?
- A. In July, June or July, he sent me a registered letter asking me for this stuff, but by that time I was looking for a lawyer.
 - Q. Okay. So you were in no way interested in dealing with Mr. Smith anymore by June or July when he was requesting

that information?

- A. That's right.
- Q. And you made the decision not to provide him that information because you were looking for counsel to file a lawsuit?
 - MR. LANE: Objection. What information are you talking about, because I believe actually if you look in the letter it asks for the records which Mr. Beck has already testified were burned in the fire to the extent they existed.
- Q. Did Mr. Smith ever ask you to simply provide him the name of the people who did the maintenance? Do you recall that?
 - A. No. No.
- Q. So there was never any request from Mr. Smith or from the insurance company?
 - A. Not that I recall.
- Q. If they had asked you for that information, would you have provided it at that time?
- A. If they had asked me for the information in January or February or March or April, I would have cooperated. You know, if he would have said, hey, it appears there's a misunderstanding here. I'm talking about an Ancil system, you're talking about a Halon system. I think we're both talking about a fire suppression system. I'm sorry that I